

1 Adam E. Polk (SBN 273000)  
Simon Grille (SBN 294914)  
2 Reid Gaa (SBN 330141)  
3 **GIRARD SHARP LLP**  
601 California Street, Suite 1400  
4 San Francisco, CA 94108  
Telephone: (415) 981-4800  
5 Facsimile: (415) 981-4846  
apolk@girardsharp.com  
6 sgrille@girardsharp.com  
7 rgaa@girardsharp.com

8 *Attorneys for Plaintiffs*

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10 **UNITED STATES DISTRICT COURT**  
11 **NORTHERN DISTRICT OF CALIFORNIA**  
12 **SAN FRANCISCO DIVISION**

13 BRAYDEN STARK, JUDD OOSTYEN, ISAAC  
BELENKIY, VALERIE BURTON, LAURA  
14 GOODFIELD and DENOVIA MACK,  
15 individually and on behalf of all others similarly  
situated,

16 Plaintiffs,

17 v.

18 PATREON, INC,

19 Defendant.  
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Case No. 3:22-cv-03131-JCS

**DECLARATION OF REID GAA IN  
SUPPORT OF PLAINTIFFS'  
ADMINISTRATIVE MOTION TO  
CONTINUE CLASS CERTIFICATION  
SCHEDULE**

1 I, Reid Gaa, hereby declare under penalty of perjury:

2 1. I am an associate at the law firm Girard Sharp LLP. I submit this declaration in support  
3 of Plaintiffs' Administrative Motion to Continue Class Certification Schedule. I am admitted to  
4 practice before this Court. I make this declaration based on my own personal knowledge. If called to  
5 do so, I could and would testify to the matters contained herein.

6 2. Pursuant to the Court's Order on Plaintiffs' Motion to Compel Meta's Compliance  
7 with Subpoena (Case No. 3:23-mc-80326-JCS, Dkt. 16), Plaintiffs and Meta are diligently  
8 negotiating the parameters of a coordinated deposition. Although Plaintiffs and Meta have made  
9 significant progress in light of the Court's guidance, the witness Meta intends to produce for a  
10 deposition will not be available by February 15. Instead, Plaintiffs and Meta are currently working  
11 to identify an alternative date for the consolidated deposition in conjunction with counsel for the  
12 defendants in the other Meta Pixel privacy actions to be included in the coordinated deposition.

13 3. Plaintiffs and Meta are also negotiating the production of a sample of class-wide  
14 data. Through these negotiations, Meta has agreed to provide Plaintiffs with information necessary  
15 to facilitate a proposal for sampling consistent with the Court's Order (*see* Case No. 3:23-mc-  
16 80326-JCS, Dkt. 16). Meta is currently collecting this initial information, but Plaintiffs and Meta  
17 will need additional time to develop a mutually agreeable sampling proposal and obtain the  
18 necessary data.

19 4. Plaintiffs and Meta are also negotiating productions of plaintiff and class-wide data  
20 related to the two other Meta Pixel privacy actions they intend to include in the coordinated  
21 deposition. Although Meta has produced plaintiff-specific data for one of these actions, Plaintiffs  
22 and Meta continue to work cooperatively to produce plaintiff-specific data for the other action and a  
23 sample of class-wide data in both.

24 5. Plaintiffs have also contacted counsel for the defendants in the other Meta Pixel  
25 privacy actions to seek their consent to participate in a coordinated deposition. Counsel for the  
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1 defendant in one of these actions has indicated their client is amenable to a coordinated deposition  
2 but requested a complete production off all relevant data from Meta beforehand.

3 6. Plaintiffs contacted Patreon, Inc. (“Patreon”) to request its consent to a 90-day  
4 extension of their deadline to file their motion for class certification on January 26. Plaintiffs  
5 advised Patreon that they would seek a court order to extend the class certification schedule absent  
6 Patreon’s agreement in light of the Court’s order on Plaintiffs’ Motion to Compel Meta’s  
7 Compliance with Subpoena (Case No. 3:23-mc-80326-JCS, Dkt. 16) and the ongoing discovery  
8 matters.

9 7. Among other discovery issues, considerable party discovery has not been produced  
10 or was only produced recently. In particular, Patreon has not indicated when it will produce  
11 documents pertaining to the new Plaintiffs added in the Second Amended Complaint (Dkt. 121).  
12 Further, on February 2, Patreon produced documents that Plaintiffs anticipate are responsive to their  
13 most recent set of document requests and documents related to the additional search terms the  
14 parties negotiated. Patreon also produced approximately 30,000 pages on February 1.

15 8. In addition to these document productions, Plaintiffs have noticed four depositions  
16 of Patreon witnesses to occur between February 2 and February 20.

17 9. On January 29, Patreon informed Plaintiffs that it believed it was premature to take a  
18 position on Plaintiffs’ request, stating that it wished to revisit the issue after Plaintiffs’ deposition of  
19 Meta.

20 I declare under penalty of perjury that the foregoing is true and correct. Executed this 5th  
21 day of February 2024 in San Francisco, CA.

22 /s/ Reid Gaa

23 Reid Gaa